

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

RICHARD MARTIN LEWISTON

Debtor

Case No. 12-58599-pjs  
Chapter 7  
Hon. Phillip J. Shefferly

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APARTMENTS AT CAMBRIDGE COMPANY,  
L.L.C., MICKEY SHAPIRO TRUST, ASA SHAPIRO  
DECLARATION OF TRUST, ILA I, L.L.C., ILA II,  
L.L.C., APTCAM, L.L.C. and CAMAPT, L.L.C.,

Plaintiffs,

vs.

Adv. Proc. No. 12-06003

RICHARD MARTIN LEWISTON,

Defendant,

and

GENE R. KOHUT, Chapter 7 Trustee for the  
Bankruptcy Estate of Richard Martin Lewiston

Nominal Defendant.

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**CHAPTER 7 TRUSTEE'S MOTION TO DISMISS PLAINTIFFS APTCAM, L.L.C.  
AND CAMAPT, L.L.C. FOR LACK OF STANDING**

Gene R. Kohut, Chapter 7 trustee ("Trustee") of the Debtor's bankruptcy estate, through counsel, Wolfson Bolton PLLC, for his Motion to Dismiss Plaintiffs APTCAM, L.L.C. and CAMAPT, L.L.C. for Lack of Standing ("Motion") states:

**RELIEF REQUESTED**

1. By this Motion, the Trustee seeks an order dismissing Plaintiffs APTCAM, L.L.C. and CAMAPT, L.L.C. for the reasons set forth in the accompanying Brief attached as Exhibit 3.
2. The Trustee sought concurrence of Plaintiffs' counsel in the relief requested in this Motion on July 2, 2013, which request was denied.

3. The Trustee sought concurrence of Debtor/Defendant's counsel in the relief requested in this Motion on July 3, 2013, which concurrence was not obtained.

WHEREFORE, the Trustee respectfully requests that this Court enter an order granting the Motion in the form attached as Exhibit 1 and grant the Trustee additional relief as the Court deems just and equitable.

Respectfully submitted,

WOLFSON BOLTON PLLC

Dated: July 3, 2013

By: /s/ Scott A. Wolfson  
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## **EXHIBIT INDEX**

Exhibit 1	Proposed Order
Exhibit 2	Notice and Opportunity
Exhibit 3	Brief
Exhibit 4	Certificate of Service
Exhibit 5	n/a
Exhibit 6	<i>Kepley v. Lanz</i> , No. 12-5078, 2013 U.S. App. LEXIS 9384 (6th Cir. May 9, 2013)